

Serial No. 10/081,504
Reply to Office Action of February 11, 2004

REMARKS

The Examiner's time and cooperation in his interview with Applicant's attorney on March 29, 2004 is, of course, appreciated. Claim 23, the only independent claim in this application, has been amended in the fashion discussed at the above-mentioned interview. In particular, claim 23 has been amended to more clearly define that the guide stops 15 are not only spaced from the short sides 16 and 17 of the decks 14, but also that the guide stops 15 extend only along a portion of the deck. Claim 23 has been further amended to more clearly define that, once the deck is installed on the scaffolding carriers, the deck is supported solely by the first horizontal carriers 12. In view of these amendments to claim 23, Applicant respectfully submits that claim 23 patentably defines the present invention over the prior art references of record.

The Patent Examiner, however, has rejected previously submitted claim 23 as unpatentably obvious pursuant to 35 U.S.C. §103 over the German patent '566 to Miller in view of the Waters patent. In view of the amendments to claim 23, however, Applicant respectfully submits that this basis for rejection can no longer stand.

More specifically, while the German Miller patent does disclose a shelving arrangement in which the shelves 10 are mounted onto the various carriers, in the Miller patent, the shelves 10 are supported wholly by the elongated horizontal carriers 41. This, of course, is entirely contrary to the present invention, as now more clearly defined in claim 23, which clearly sets forth that the decking is supported solely by the holding means 14 at the short end of the deck. Indeed, in the Miller patent, there is absolutely no attachment between the shelving 10 and the short ends of the shelving 10 with the horizontal carriers 47.

Additionally, claim 23, as amended, more clearly defines over the Miller patent since claim 23 clearly defines that the guide stops 15 not only are spaced from the short ends of the

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decking, but also that these guide stops 15 extend along only a portion of the elongated sides of the decks. This, of course, is entirely contrary to the Miller patent since the side channels which engage the elongated horizontal carriers 14 extend entirely between the short ends of the shelving 10.

The Patent Examiner, however, has further combined the Miller patent with the Waters patent which discloses the provision of hooks 12a and 12b at the short ends of the Waters decking 10. As understood, it is the Examiner's position that it would be obvious to provide hooks 12a and 12b of Waters at the short ends of the Miller shelving 10. Applicant, however, respectfully submits that there is absolutely no motivation in the Miller patent, other than hindsight provided by the instant disclosure, to modify the Miller patent in the manner suggested by the Patent Examiner.

More specifically, in the Miller patent, the shelving 10 is fully supported by the elongated horizontal carriers 41. As such, there is absolutely no reason, whatsoever, to add the hooks 12a and 12b of Waters et al. to the Miller patent. To do so would be clearly redundant to the Miller disclosure and simply constitutes a piecemeal reconstruction of Applicant's invention from the prior art of record.

In summation, none of the references cited by the Patent Examiner disclose Applicant's provision of the guide stop which permits the decking to be easily assembled onto the horizontal carriers and which the decking is supported at its short ends by the hooks in the fashion disclosed and now positively claimed in claim 23. As such, Applicant respectfully submits that claim 23 patentably defines Applicant's invention over the prior art of record and is, therefore, allowable.

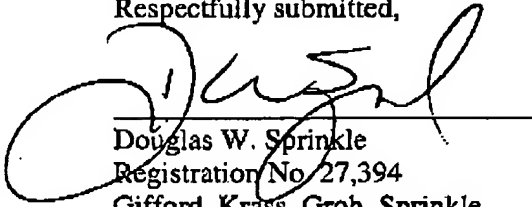
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The Examiner's rejection of claims 9-15 under 35 U.S.C. §112 has been duly noted and corrected by this amendment. Additionally, the typographical error appearing in claim 4 in Applicant's most recent amendment has also been corrected by the instant amendment.

In view of the foregoing, Applicant respectfully submits that this case is now in condition for formal allowance and such action is respectfully solicited. Furthermore, the Patent Examiner requested Applicant's attorney to remind the Patent Examiner that, in the event that the instant amendment does not place this case into condition for allowance, the Patent Examiner would call Applicant's attorney at the below-listed number.

Respectfully submitted,



Douglas W. Sprinkle
Registration No. 27,394
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward, Suite 400
Birmingham, MI 48009
(248) 647-6000

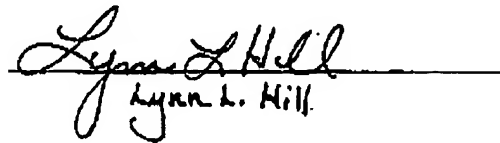
Attorney for Applicant

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CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being sent to the United States Patent Office via facsimile (703-872-9300) on April 15, 2004.



Lynn L. Hill